

To: Mayor and Members of East Zorra-Tavistock Council

From: Hanne Yager, Policy Planner, Community Planning

Application for Zone Change ZN 2-25-07 – Township of East Zorra-Tavistock (Additional Residential Units)

REPORT HIGHLIGHTS

- Township of East Zorra-Tavistock Council directed staff to initiate amendments to the Township Zoning By-law on September 3, 2025 with the intent to improve the implementation and clarity of the zoning provisions and consistency with the Oxford County Official Plan and recent changes to Provincial legislation.
- The Zone Change application proposes amendments to the Township Zoning By-law to: revise the provisions for Additional Residential Units (ARUs) and residential accessory structures; amend definitions associated with ARUs; address minor technical errors; and, improve consistency between municipalities, where appropriate.
- Planning staff are of the opinion that the draft zoning provisions attached to and described in this report are appropriate and will comply with and implement the Official Plan policies.

DISCUSSION

BACKGROUND

APPLICANT: Corporation of the Township of East Zorra-Tavistock
90 Loveys Street East, PO Box 100 Hickson ON, N0J 1L0

LOCATION:

The proposal is for a Township-wide general amendment that would apply to the entire Township.

PROPOSAL:

The purpose of the application for Zone Change is to introduce amendments to the Township Zoning By-law to improve consistency with the Planning Act and existing Official Plan requirements, refine implementation and clarity of the Zoning By-Law, address minor technical errors, and improve consistency between municipalities, where appropriate.

The proposed zoning provisions are attached to this report in the form of a draft by-law and are discussed in detail in the Planning Analysis section.

APPLICATION REVIEW

PLANNING ACT

The Planning Act (“the Act”) contains requirements for municipalities with respect to permitting ARUs.

On June 6, 2019, the Province passed Bill 108 (More Homes, More Choice Act), which directed municipalities to enact Official Plan policies and Zoning provisions to allow for up to two ARUs in a single detached, semi-detached, or row house dwelling and/or within a building or structure ancillary to such dwellings. The associated Ontario Regulation (O. Reg) 299/19 came into force and effect on September 3, 2019, and prescribed requirements and standards for ARUs where they are permitted by zoning (i.e. municipalities could require only one parking space per ARU, parking spaces could be tandem spaces, and could not specify the relationship of the occupant of the ARU and the property owner). Subsequently, Bill 23 (More Homes Built Faster Act, 2022) came into effect on November 28, 2022 and in addition to O.Reg 299/19 requirements, also required municipalities to permit up to two ARUs as-of-right on lots served by both a municipal water and a municipal wastewater system and prohibited municipalities from establishing minimum unit sizes for ARUs.

Oxford County implemented this legislation through Official Plan Amendment (OPA 285), which introduced the County’s rural ARU policies and was adopted by County Council on February 8, 2023. Since the passing of OPA 285, further changes to the Act through Bill 185 (Cutting Red Tape to Build More Homes Act, 2024) and O. Reg 299/19 came into force and effect on November 20, 2024 affecting standards for angular plane, floor space index, lot coverage, and lot area. Proposed amendments to the Zoning By-Law with respect to lot coverage and lot area within fully serviced settlements are intended to support consistency with the Act and the regulation.

PROVINCIAL PLANNING STATEMENT

The 2024 Provincial Planning Statement (PPS 2024) came into effect on October 20, 2024, and it provides policy direction on matters of provincial interest related to land use planning and development. Like the preceding 2020 Provincial Policy Statement, the PPS 2024 continues to direct municipalities to direct growth and development to settlement areas, and promote a range and mix of “housing options”. Housing options include, but are not limited to, additional residential units.

The PPS 2024 now clarifies that in prime agricultural areas, where a residential dwelling is permitted, up to two ARUs shall be permitted in addition to farm worker housing, subject to specified criteria and provincial guidance (not yet released). The policies provide the minimum standard for Official Plan policies and Zoning By-Law provisions and, as a result, municipal policies or provisions may exceed PPS requirements to reflect local interests.

Although Oxford County Official Plan policies were adopted prior to the PPS 2024 being in effect, the County’s policies remain consistent with provincial policy and criteria regarding ARUs in agricultural areas.

COUNTY OF OXFORD OFFICIAL PLAN:

The Oxford County Official Plan was amended regarding ARUs in rural areas through OPA 285, which was adopted by County Council on February 8, 2023, and has been in force and effect since March 2, 2023. These Official Plan policies were developed to provide consistent municipal

policy direction for all the rural areas in the County, reflect Oxford's rural context, and ensure compliance with the PPS, while also providing flexibility for Area Municipalities to reflect local needs through their respective Zoning By-Laws.

The Official Plan identifies where ARUs are permitted and outlines what development criteria need to be satisfied for an ARU to be established. Criteria include but are not limited to: size and locational requirements; compatibility with surrounding land uses; and, ensuring other municipal requirements, such as servicing, stormwater management, waste management and emergency access, can be adequately addressed.

As discussed in report [CP 2025-251](#), research and preliminary consultation conducted by County Planning staff suggested that the intent of certain Official Plan requirements regarding ARU size, location, and compatibility are not consistently reflected in local Council decisions. Amendments to the Zoning By-Law are proposed to improve the implementation of Official Plan criteria such as maximum gross floor area, maximum distance from a principal dwelling, and required Minimum Distance Separation I (MDS I) setbacks.

ZONING BY-LAW:

Zoning By-Law Amendment 2023-24 to amend By-Law 2003-18 was approved by East Zorra-Tavistock Council and came into force and effect on July 5, 2023. The following list provides a summary of changes established by By-Law 2023-24.

- Added new defined terms for 'additional residential unit'; 'individual on-site sewage system'; 'individual on-site water system'; 'municipal sewage system'; 'municipal water system'; 'natural hazards'; 'parking space, tandem'; 'principal dwelling'; 'private communal sewage system'; and, 'private communal water system'.
- Amended definitions for 'converted dwelling'; 'dwelling unit'; 'parking area'; and, 'multi-unit dwelling'.
- Amended land use permissions for converted dwellings, garden sites and home occupations.
- Amended 'permitted uses' in zones where ARUs are permitted and specified the total number of ARUs permitted in each zone.
- Introduced standards and requirements for all ARUs, including – maximum unit size, minimum lot area, maximum lot coverage, minimum lot frontage, requirements for entrances and stairways, minimum parking spaces, minimum landscaped open space, permitted location on the lot, maximum setback from street or principal dwelling, and minimum privacy and screening.
- Amendments to requirements relating to municipal services and dwellings below grade to align with provincial legislation and policies.

As discussed in greater detail in Planning Analysis section, proposed amendments to the Zoning By-Law would adjust the existing provisions established through By-Law 2023-24 to improve consistency with legislative and regulatory changes and overall implementation, while maintaining the original intent of the Official Plan policies and zoning provisions of ARUs.

AGENCY COMMENTS

Township of East Zorra-Tavistock staff was consulted throughout the development of the draft Zoning Provisions and agree with the proposed draft provisions.

Township staff provided the following comments:

1. That the zoning by-law address any existing A1/A2 zoned lots located in settlements as the current by-law does not prescribe requirements for those lots.
2. Maximum size for garden suites should be increased from 70 m² to 140 m² to reflect the current permissions of the neighbouring Township of Blandford-Blenheim.

Planning staff have identified several examples of lots with A1/A2 zoning within settlement areas and agree that this gap is important to address in order to provide appropriate development standards for ARUs on these properties. Staff have added provisions which identify which standards apply to lots in A1/A2 zones within fully serviced and partially serviced settlement areas (e.g. areas only served by a municipal water system).

Regarding increasing the permitted size of garden suites, staff note this potential increase would generally reflect the maximum permitted cumulative gross floor/dwelling unit area for all ARUs on a lot as required by the Official Plan so the potential impact of this increase in size is anticipated to be minimal. However, staff note that the Official Plan and Zoning By-Law have additional, explicit size and locational provisions for ARUs so applications to establish garden suites should be considered carefully in their ability to meet Official Plan direction. The draft By-Law attached to this report reflects this request by Township staff.

CN Rail stated that the construction of a new ARU should be subject to certain requirements to be established in a By-Law associated with Principal Main Use rail lines. These requirements include maintaining a 30 metre setback, establishing a safety berm, and fencing for any property boundaries that abut a railway right of way.

As similar requirements are not currently contained in the Zoning By-law for other residential uses and/or other railway operators, Planning staff are of the opinion that this request should be considered comprehensively as part of a future housekeeping amendment and have noted it for further review.

County of Oxford Public Works, Southwestern Public Health and Upper Thames River Conservation Authority (LPRCA) indicated that they have no comments or objections with respect to the proposed zone change.

Planning Analysis

The proposed Zoning provisions were developed in consultation with Township staff and County Public Works, and other agency comments have been addressed as indicated in the 'Agency Comments' section above. The following summary outlines the proposed amendments to the Township Zoning By-law, and how the intent of the Planning Act, PPS 2024, and Official Plan is maintained.

Regulating ARU Size and Lot Coverage

The size and scale of an ARU is currently regulated by two provisions – 'gross floor area' and 'lot coverage'. Consultation with Township staff suggests using these provisions has created implementation challenges and the following changes are proposed:

1. All ARUs – Change from Gross Floor Area to Dwelling Unit Area

Currently, the maximum size for all ARUs on a property is 50% of the gross floor area of the principal dwelling to a maximum of 100 m² or 140 m², depending on whether the property is located within or outside of a settlement. Staff have determined that an ARU's size may be more clearly interpreted and appropriately regulated by using 'dwelling unit area' rather than 'gross floor area'. Use of 'dwelling unit area' rather than 'gross floor area' is also consistent with practices in other municipalities and could be more permissive for some proposals, while also maintaining the intent of Official Plan requirements.

Staff propose using 'dwelling unit area' to regulate the size of all ARUs instead of 'gross floor area'. Dwelling unit area is an existing definition with a range of exclusions that are proposed to be amended for added clarity. The intent is an ARU's size will be affected by the size of its livable area (e.g. bedrooms, kitchen, bathroom, laundry, etc.) with certain areas being excluded from the calculation such as common areas (e.g. common vestibules, stairwells, and hallways, etc.), mechanical equipment areas, or attics and cellars. The size of detached ARUs will also continue to be affected by lot coverage requirements (discussed below).

2. Lot Coverage – Change from Gross Floor Area to Ground Floor Area

ARUs located within detached accessory structures are further affected by lot coverage requirements for accessory structures. Municipalities typically limit lot coverage to a percentage of the lot area with a specific maximum gross floor area acting as an overall ceiling for overall size and floor area. There are two issues that are associated with this current approach:

- The current definition of 'gross floor area' includes all storeys of a building, which results in multi-storey buildings having a higher calculated gross floor area. The intent of the lot coverage requirement is to regulate the amount of building area covering the lot to maintain adequate stormwater management, drainage, and open/green space and is not intended to limit the height of buildings. The proposed amendment uses 'ground floor area' to calculate lot coverage, which has the effect of controlling the footprint of a building or structure. Other provisions, such as building height and setback requirements, would still apply.

The Township of East-Zorra Tavistock has an existing definition of ground floor area that excludes specific types of structures (e.g. garages, carports, sunrooms) that have an impact on storm water management and area for amenities, parking and landscaping. As a result, the draft by-law proposes to remove these exclusions while establishing other exclusions to recognize that certain structures, such as uncovered decks, are less likely to impact on-site stormwater management and open/green space.

- The current definition of 'lot coverage' encompasses all buildings (with minor exclusions for outdoor mechanical equipment, flagpoles, etc.); however, consultation with Township staff has identified inconsistent interpretation across municipalities with respect to how the maximum lot coverage is calculated for ARUs, accessory structures, and the principal dwelling. The draft by-law proposes to amend the definition of lot coverage to clarify that lot coverage for accessory structures includes the ground floor area of an ARU located in a detached structure and that lot coverage for accessory structures shall be included in the total lot coverage for the lot.

The previous Zoning By-law amendment for ARUs (By-Law 2023-24) established criteria for an ARU (e.g. maximum lot coverage, minimum yards and setbacks) based on the existing zone provisions for the principal dwelling and/or accessory structures. The proposed by-law amendment would maintain the approach that an ARU's form (i.e. inside/attached-to the main

home, or in a detached structure), and the underlying zone, affects certain size and location provisions. Note that only the parameters used for calculation of compliance with the zoning provisions is proposed to be amended as specified through proposed clarifications to the applicable definitions, and no changes to the numeric quantities (e.g. % or m²/ft²) are proposed.

New or Amended Definitions

In addition to the proposed amendments to the definitions and provisions related to lot coverage, dwelling unit area, and ground floor area, the attached by-law proposes the following new or amended definitions:

- **Detached Additional Residential Unit:** Currently, only 'additional residential unit' is defined. Adding a proposed new definition for 'detached additional residential unit' would provide clarity with respect to the nature of the land use and readability of the by-law—specifically, that it is an ARU located within a detached accessory building.
- **Principal dwelling:** The existing definition replicates language from the Planning Act to state the type of dwellings (i.e. single detached, semi-detached, and townhouse dwellings or detached accessory structures) that an ARU is permitted to be located within. The draft by-law would amend this definition to clarify that the addition of an ARU does not change the principal dwelling into any other type of dwelling. As outlined in previous report [CP 2025-251](#), this proposed amendment reflects the finding that a significant number of planning applications involved 'swapping' the use of an existing principal dwelling with a newly established accessory dwelling. This change in definition is not intended to prohibit 'swaps' from occurring, but rather to make these proposals more explicit so that planning authorities may consider whether they maintain Official Plan criteria for ARUs.
- **Distance From:** Currently, there is no definition in the Township By-Law for how the maximum distance between a detached ARU and the principal dwelling is calculated. The PPS 2024 directs municipalities to keep detached ARUs close to the principal dwelling on prime agricultural lands and the Official Plan specifies this distance is a maximum of 30 metres. The attached by-law defines this concept as the distance measured from the nearest face or corner of a detached ARU to the nearest face or corner of the principal dwelling, which is the most permissive approach.

Driveways

To reflect existing Official Plan direction, the draft by-law includes a provision prohibiting ARUs from being built without direct access to a driveway shared with the principal dwelling. The intended effect of this change would be to help ensure detached ARUs are not located outside of the existing farm building cluster and/or the established residential area on a lot, as directed by the PPS 2024 and Official Plan.

MDS

The PPS 2024 and Official Plan requires that MDS I setbacks be maintained for new land uses in prime agricultural areas. The previous report [CP 2025-251](#) and consultation with Township staff further suggests that the Zoning By-Law could benefit from greater clarity with respect to how MDS I applies to ARUs.

While Publication 853: The Minimum Distance Separation (MDS) Document (the current version of the MDS Formulae and Implementation Guidelines) is not explicit in addressing ARU's, it does provide direction for its application to existing lots and residential building permits.

The Ontario Ministry of Agricultural, Food and Agribusiness (OMAFRA) recently provided updated training for practitioners which clarified MDS I does not apply to ARUs attached to- or inside of- a single detached dwelling, but MDS I does apply to a detached ARU, building from this existing direction within the MDS Document.

It is the opinion of Planning staff that the Official Plan policies for ARUs continue to meet the intent of this direction and that the draft by-law amendment would clarify that MDS I only applies to detached ARUs.

Detached Additional Residential Units: Maximum Permitted and Process

The Official Plan states that a maximum of one detached ARU is permitted per agricultural lot and that the approval of a minor variance is required.

The existing zoning provisions for ARUs establish the maximum number of ARUs permitted in different zones and further differentiated by being within or outside of a settlement area. The provisions also establish where an ARU would be permitted as-of-right and, in the A1 and A2 zones, this permission is limited to inside or attached to the principal dwelling.

The proposed by-law will maintain these permissions; however, further clarify the maximum number of detached ARUs in each zone category and explicitly note for which zones a detached ARU requires the approval of a planning application.

Detached Additional Residential Units - Minimum Lot Area in Serviced Villages

Under the Planning Act, changes to O. Reg 299/19 now prohibit municipalities from requiring a more restrictive lot area for a lot containing an ARU that is served by both a municipal water and a municipal wastewater system (i.e. a Serviced Village). The draft By-Law now permits that when an ARU is established, the minimum lot area shall be in accordance with the applicable zone provisions for the principal dwelling (i.e. the minimum lot area requirement for a single detached, semi-detached or townhouse dwelling in the R1, R2, R3, and CC Zones, as applicable).

Lot Coverage for All ARUs in Serviced Villages

Another amendment to O. Reg 299/19 requires that residentially zoned lots served by both a municipal water and a municipal wastewater system may have a maximum lot coverage of 45%, where at least one ARU exists. It is the understanding of staff that this maximum lot coverage includes all buildings and structures on the lot and only applies to lots that are zoned for residential use (e.g. does not apply when a dwelling is ancillary to a commercial use). The draft by-law reflects this new requirement, and language has been added to ensure lot coverage permissions are clear for the remaining zones unaffected by O. Reg 299/19.

Technical Changes

The following proposed changes are recommended to improve implementation of existing zoning provisions and Official Plan requirements.

- State when and how garden suites and ARUs may be permitted on the same lot

- Change reference to 'floor area' (an undefined term) to a defined term (e.g. 'gross floor area' and/or 'ground floor area') within General Provisions affecting non-conforming and/or non-complying uses
- Remove reference to minimum gross floor area requirements for garden suites that are already regulated through the Ontario Building Code.
- Use 'dwelling unit area' to regulate maximum size of garden suites to use same approach as ARUs
- Re-establish any existing requirements that were inadvertently removed through housekeeping amendments, such as parking provisions for converted dwellings.

Conclusions

The proposed zoning provisions are intended to implement the 2024 Provincial Planning Statement, Planning Act, and Official Plan policies adopted by County Council through OPA 285. Further, the proposed draft zoning provisions are intended to be minor changes which would have the effect of improving implementation of existing Zoning By-Law provisions.

Planning staff are of the opinion that the draft zoning provisions attached to and described in this report are appropriate and will comply with and implement the Official Plan policies.

RECOMMENDATIONS

1. That the Council of the Township of East Zorra-Tavistock approve-in-principle the proposed Zoning By-Law amendment (File No. ZN2-25-07) to introduce amendments to Township Zoning By-Law No. 2003-18 and that the By-law be brought back to a subsequent Council meeting for adoption.

SIGNATURES

Authored by: Original signed by

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Attachments

Plate 1 – Draft Zoning By-Law Amendment

THE CORPORATION OF THE
TOWNSHIP OF EAST ZORRA-TAVISTOCK
BY-LAW NUMBER XX-2025-Z

A By-Law to amend Zoning By-Law Number 2003-18, as amended.

WHEREAS the Municipal Council of the Corporation of the Township of East Zorra-Tavistock deems it advisable to amend By-Law Number 2003-18, as amended.

THEREFORE, the Municipal Council of the Corporation of the Township of East Zorra-Tavistock, enacts as follows:

1. That Section 4.0 to By-Law Number 2003-18, as amended, is hereby further amended by adding the following new definitions in alphabetical order in the index and to the corresponding list of existing definitions:

“DETACHED ADDITIONAL RESIDENTIAL UNIT”, means an *additional residential unit* located within or attached to a detached *accessory building* that is located on the same *lot* as a *principal dwelling*.

“DISTANCE FROM”, means the smallest dimension between two *buildings* or *structures* measured on a two-dimensional plan from the outside face of exterior walls of the foundations.

2. That Section 4.0 to By-Law Number 2003-18, as amended, is hereby further amended by deleting the definitions of “Dwelling Unit Area”, “Ground Floor Area”, “Multiple Unit Dwelling”, “Lot Coverage”, and “Principal Dwelling” and replacing them with the following definitions in the index and to the corresponding list of existing definitions:

"DWELLING UNIT AREA", means the aggregate of the horizontal areas contained within the inside walls of a *dwelling unit*, excluding: any areas used for the storage or parking of *motor vehicles*; a porch or veranda; unfinished *attic*, *cellar* or *basement*; common areas that are accessible by more than one dwelling unit (e.g. stairways, elevators, accessibility ramps, laundry); and areas occupied by mechanical equipment.

"GROUND FLOOR AREA", means the aggregate of the maximum horizontal extent of all areas of a *building* measured between the exterior faces of the exterior walls, including retractable walls and roofed projections (e.g. covered *porches*, *decks*, balconies and *carports*). For greater clarity, ground floor area shall encompass the total footprint of a *building* that exist above or below grade (e.g. walk-out *basements*) and shall exclude uncovered *decks*, balconies, canopies, and overhanging eaves, which are two metres or more in *height* above *finished grade*.

"LOT COVERAGE", means that percentage of the *lot area* covered by the maximum horizontal extent of all *buildings* and *structures* on the *lot*, excluding the area covered by uncovered *decks*, balconies, canopies, and overhanging eaves, which are two meters or more in *height* above *finished grade*.

For greater clarity, *ground floor area* is used for determining *lot coverage*. The calculation of *lot coverage* for *accessory structures* includes the *ground floor area* of any detached *accessory structures* and any detached *additional residential units*. The *lot coverage* of all *accessory structures* shall be included in the calculation of the maximum *lot coverage* for the principal use of the *lot*.

"MULTIPLE UNIT DWELLING", means a *dwelling* consisting of three or more *dwelling units*, which are horizontally and/or vertically attached, which may be entered from an independent entrance directly from the outside or from an internal common space or an access balcony and in which 50% or more of *dwelling*

units have direct access to grade or a roof terrace. A *multiple unit dwelling* may include a triplex, a fourplex, a fiveplex, a sixplex and a townhouse, but shall not include an *additional residential unit*, a *converted dwelling*, a *street fronting townhouse* or an *apartment dwelling*.

“PRINCIPAL DWELLING”, means the *single detached dwelling*, *semi-detached dwelling*, or *street fronting townhouse dwelling* that has been altered to contain *additional residential unit(s)* and/or is located on the same *lot* as a *detached additional residential unit*.

The creation of *additional residential unit(s)* does not change the *principal dwelling* into any other type of *dwelling* as defined in this By-Law.

3. That Section 5.0 to By-Law Number 2003-18, as amended, is hereby further amended by deleting Table 5.1.1.5 and replacing it with the following new Table 5.1.1.5:

| TABLE 5.1.1.5 - REGULATIONS FOR ACCESSORY USES | | | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Provision | ER, RE and RR Zones | R1, R2, R3, CC and V Zones | A1 and A2 Zones | All Other Zones |
| Permitted Location | Any <i>yard</i> other than a required <i>front yard</i> and <i>exterior side yard</i> | | | To the rear of the required <i>Front yard</i> , in accordance with the <i>yard</i> and <i>setback</i> provisions of the zone in which such <i>building</i> or <i>structure</i> is located. |
| Minimum Distance from Main <i>Buildings</i> | 1.2 m (3.9 ft) | | 2.0 m (6.6 ft) | 2.0 m (6.6 ft) |
| Maximum <i>Height</i> | 5.5 m (18 ft) | 4.0 m (13.1 ft) | 5.5 m (18 ft) | See appropriate Zone |
| <i>Side Yard Setback</i> | 1.2 m (3.9 ft) | | See appropriate Zone | |
| <i>Rear Yard Setback</i> | 1.2 m (3.9 ft) | | See appropriate Zone | |
| <i>Lot Coverage</i> , Maximum for all <i>accessory buildings</i> and <i>structures</i> | 10% of <i>lot area</i> , or 280 m² (3,014 ft ²) of <i>ground floor area</i> , whichever is the lesser | 10% of the <i>lot area</i> , or 100 m² (1,076.4 ft ²) of <i>ground floor area</i> , whichever is the lesser | where a <i>building</i> or <i>structure</i> is <i>accessory</i> to a residential use, 280 m² (3,014 ft ²) of <i>ground floor area</i> | See appropriate Zone |

4. That Section 5.0 to By-law Number 2003-18, as amended, is hereby further amended by deleting subsection 5.5.2 and replacing it with the following new subsection 5.5.2:

5.5.2 ADDITIONAL RESIDENTIAL UNITS

5.5.2.1 WHERE PERMITTED

Where listed as a permitted *use* in the *Zone*, *additional residential units* are permitted subject to the provisions of this Section and compliance with all other provisions of the *Zone* in which the *lot* is located.

Detached additional residential units located outside of a settlement defined in Section 2.7.2 shall be required to satisfy the minimum distance separation requirements, as determined through the application of the *Minimum Distance Separation Formula I* (MDS I) or not further reduce an existing insufficient MDS I *setback*.

5.5.2.2 WHERE NOT PERMITTED

Additional residential units shall not be permitted:

- i) on any *lot* within the following settlements as defined in Section 2.7.2:
 - a) Tavistock (Serviced Village), but only within the contributory area for the William Street Sewage Pumping Station.
- ii) on any *lot* containing a *boarding or lodging house*, a *group home*, a *garden suite*, a *converted dwelling*, a *duplex dwelling*, a *mobile home*, or a *bed and breakfast establishment*. An *additional residential unit* within the *principal dwelling* may be permitted on the same *lot* as an *existing garden suite* where the *lot* meets the provisions of Section 5.5 and an application under the Planning Act has been approved;
- iii) on any *lot* located within a settlement defined in Section 2.7.2, unless the *principal dwelling* is connected to the *municipal water system* and/or *municipal sewage system*, and adequate *municipal water system* and/or *municipal sewage system* capacity to service the *additional residential unit(s)* has been confirmed by the *County* in writing;
- iv) on any portion of a *lot* containing *natural hazards*, unless formal clearance or approval from the Conservation Authority having jurisdiction has been obtained, or on any *lot* that does not meet Provincial access standards during a regulatory flood event;
- v) on any *lot* serviced by a *private communal water system* and/or *private communal sewage system*; and,
- vi) notwithstanding the provisions of Section 5.9 and 5.17, on any *lot* in a residential, mixed use, or commercial zone, as defined by Section 3.1.1, serviced by an *individual on-site sewage system* where the *lot area* doesn't meet the minimum *lot area* provisions of this Section or the *Zone* in which the *lot* is located, whichever is the greater.

5.5.2.3 PROVISIONS FOR ALL ADDITIONAL RESIDENTIAL UNITS

All *additional residential units* shall comply with the provisions of Table 5.5.2.3

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| TABLE 5.5.2.3 – PROVISIONS FOR ALL ADDITIONAL RESIDENTIAL UNITS |
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| Provision | Column 1 - R1, R2, R3, CC and V Zones, where served by both a <i>municipal water system</i> and <i>municipal sewage system</i> | Column 2 - R1, R2 and V Zones, where not served by a <i>municipal sewage system</i> | Column 3 - RE, ER and RR Zones in a settlement area (as defined in Section 2.7.2) | Column 4 -A1, A2, RR, and RE Zones outside of a settlement area (as defined in Section 2.7.2) |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Number of Additional Residential Units per lot, Maximum | 2, in the Village of Tavistock, except as per 5.5.2.2 i) 1, in the Village of Innerkip | 1 | 1 | 2 |
| Lot coverage, Maximum for all accessory buildings and structures | 45%, provided there are no non-residential <i>uses</i> on the <i>lot</i> | <i>Detached Additional Residential Units</i> shall be in accordance with Table 5.5.2.4. Provisions for “Maximum Size”. <i>Additional Residential Units</i> located within the <i>principal dwelling</i> shall be in accordance with the provisions for the <i>principal dwelling</i> . | | |
| Cumulative Dwelling Unit Area for all Additional Residential Units, Maximum | 50% of the <i>dwelling unit area</i> of the <i>principal dwelling</i> , or 50 m² (538 ft ²) of <i>dwelling unit area</i> , whichever is the lesser | 50% of the <i>dwelling unit area</i> of the <i>principal dwelling</i> , or 100 m² (1076 ft ²) of <i>dwelling unit area</i> , whichever is the lesser | 50% of the <i>dwelling unit area</i> of the <i>principal dwelling</i> , or 140 m² (1506 ft ²) of <i>dwelling unit area</i> , whichever is the lesser | |
| Dwelling Unit Area for an Additional Residential Unit in a Basement or Cellar | Notwithstanding the maximum <i>dwelling unit area</i> provision, the entire <i>basement</i> or <i>cellar</i> of the <i>principal dwelling</i> may be used for the purposes of an <i>additional residential unit</i> , provided there are no other <i>additional residential units</i> or <i>garden suites</i> on the <i>lot</i> | | | |
| Driveway Access | All <i>additional residential dwelling units</i> shall share direct access to the same <i>driveway</i> as the <i>principal dwelling</i> . | | | |
| Location of Entrances | All <i>dwelling units</i> within the <i>principal dwelling</i> shall be accessed through a common entrance from an internal corridor or vestibule, except that separate entrance(s) may be located in the <i>rear yard</i> or <i>interior side yard</i> . | | | |
| Location of Exterior Stairways | There shall be no exterior stairways except a required emergency exit which shall be located only in the <i>rear yard</i> or <i>interior side yard</i> . | | | |
| Unobstructed Pathway to Entrance of Unit(s), Minimum | 1.2 m (3.9 ft) wide unobstructed pathway from the <i>front lot line</i> to the entrance. Unobstructed means no obstruction or encroachments to a height of up to 2.3 m (7.5 ft). | | | |
| Parking Spaces, Minimum | 1 space per <i>additional residential unit</i> is required. Such spaces may be <i>tandem parking spaces</i> , provided no <i>tandem parking space</i> for an <i>additional residential unit</i> is located within a <i>private garage</i> . | | | |

| | |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Landscaped Open Space in Rear Yard, Minimum | 75 m² (807 ft ²) for 1 <i>additional residential unit</i> and 100 m² (1076 ft ²) for 2 <i>additional residential units</i> and such <i>landscaped open space</i> shall be accessible to all <i>dwelling units</i> or exclusive access is apportioned to each <i>dwelling unit</i> . |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

5.5.2.4 PROVISIONS FOR DETACHED ADDITIONAL RESIDENTIAL UNITS

A *detached additional residential unit* shall comply with the provisions of Table 5.5.2.3 and Table 5.5.2.4, where a conflict exists, the provisions of Table 5.5.2.4 will prevail.

| TABLE 5.5.2.4 – PROVISIONS FOR DETACHED ADDITIONAL RESIDENTIAL UNITS | | | | | |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Provision | Column 1 - R1, R2, R3, CC and V Zones, where served by both a <i>municipal water system</i> and <i>municipal sewage system</i> | Column 2 - R1, R2 and V Zones, where not served by a <i>municipal sewage system</i> | Column 3 - RE, ER and RR Zones, in a <i>settlement area</i> (as defined in Section 2.7.2) | Column 4 - RR and RE Zones, outside of a <i>settlement area</i> (as defined in Section 2.7.2) | Column 5 - A1 and A2 Zones |
| Number of Detached Additional Residential Units per lot, Maximum | 1, excluding areas listed in 5.5.2.2 i) | 1 | 1 | 1 | 1 (Subject to approval of a planning application) |
| Lot Area, Minimum | In accordance with the applicable zone provisions for the <i>principal dwelling</i> | 0.6 ha (1.48 ac) | 0.6 ha (1.48 ac) | 0.6 ha (1.48 ac) | 0.6 ha (1.48 ac) |
| Permitted Location | <i>Rear yard</i> or <i>interior side yard</i> of <i>principal dwelling</i> | | | | Any yard, except a <i>required yard</i> |
| Maximum Size | In accordance with Table 5.1.1.5 Regulations for Accessory Uses – Lot Coverage and Table 5.5.2.3 Provisions for All Additional Residential Units – Maximum Dwelling Unit Area for all <i>Additional Residential Units</i> , whichever is the lesser | | | | |
| Required Yards and Setbacks | In accordance with Table 5.1.1.5 Regulations for Accessory Uses | | | | In accordance with Zone Provisions for “All Other Buildings and Structures” |
| Building Height, Maximum | In accordance with Table 5.1.1.5 Regulations for Accessory Uses and shall not exceed the <i>height</i> of the <i>principal dwelling</i> | | | In accordance with Table 5.1.1.5 Regulations for Accessory Uses | |

| | | | | | |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------|-----------------------|
| Distance from the Principal Dwelling, Minimum | In accordance with Table 5.1.1.5 Regulations for Accessory Uses | | | | 1.2 m (3.9 ft) |
| Distance from the Principal Dwelling, Maximum | No provision | No provision | No provision | No provision | 30 m (98.4 ft) |
| Setback from Public Street, Maximum | 40 m (147.6 ft) | 40 m (147.6 ft) | 40 m (147.6 ft) | No provision | No provision |
| Privacy Fence, Minimum | A solid privacy fence with a minimum height of 1.8 m around the perimeter of the <i>rear yard</i> | A solid privacy fence with a minimum height of 1.8 m along a <i>lot line</i> where the <i>detached additional residential unit</i> is located within 7.5 m (24.6 ft) of that <i>lot line</i> | | No provision | No provision |
| Window Openings above Ground Floor | Not permitted in a wall facing an <i>interior side yard</i> or <i>rear yard</i> | | | No provision | No Provision |
| Decks, Balconies and Rooftop Patios | Not permitted | | | No provision | No Provision |

5. That section 5.0 to By-Law Number 2003-18, as amended, is hereby further amended by adding Subsection 5.5.2.5:

5.5.2.5 AGRICULTURAL ZONED LOTS IN SETTLEMENTS

- 5.5.2.5.1 In addition to the permitted *uses* of Tables 6.1 and 7.1, a *detached additional residential unit* may be located on an *existing lot* in the A1 or A2 zone within a *settlement*, as defined in Section 2.7.2, that is served by both a *municipal water system and municipal sewage system*.

All *additional residential units* on the *lot* shall be subject to the provisions of Column 1, Table 5.5.2.3 and Column 1, Table 5.5.2.4 except that the cumulative *dwelling unit area* for all *additional residential units* may be 50% of the *dwelling unit area* of the *principal dwelling*, or **100 m² (1076 ft²)** of *dwelling unit area*, whichever is the lesser.

- 5.5.2.5.2 In addition to the permitted *uses* of Tables 6.1 and 7.1, a *detached additional residential unit* may be located on an *existing lot* in the A1 or A2 zone within a *settlement*, as defined in Section 2.7.2, that is not served by a *municipal sewage system*.

All *additional residential units* shall be subject to the provisions of Column 2, Table 5.5.2.3 and Column 2, Table 5.5.2.4 except that the cumulative *dwelling unit area* for all *additional*

residential units may be 50% of the *dwelling unit area* of the *principal dwelling*, or **100 m²** (1076 ft²) of *dwelling unit area*, whichever is the lesser.

6. That Section 5.10.5 to By-Law Number 2003-18, as amended, is hereby further amended by deleting “a minimum *gross floor area* of 50 m² (538.5 ft²)” and deleting all references to “*ground floor area*” and “*gross floor area*” and replacing them with “*dwelling unit area*”.
7. That Section 5.10.6 to By-Law Number 2003-18, as amended, is hereby further amended by adding the following new subsection 5.10.6:

5.10.6 WHERE NOT PERMITTED

- i) *A garden suite* may not be permitted on any *lot* containing a *detached additional residential unit*.
8. That Section 5.13.8 to By-Law Number 2003-18, as amended, is hereby amended by deleting “in a *dwelling unit*” and replacing with “in a *single detached dwelling*, a *semi-detached dwelling*, or a *duplex dwelling*” and deleting any reference to “home daycare” and replacing it with “*private home daycare*”.
9. That Section 5.17.4 to By-Law Number 2003-18, as amended, is hereby further amended by replacing “size or volume” with “*ground floor area*, or *gross floor area*”.
10. That Section 5.17.5.3.5 to By-Law Number 2003-18, as amended, is hereby further amended by deleting all references to “floor area” and replacing them with “*gross floor area*”.
11. That Section 5.0 to By-Law Number 2003-18, as amended, is hereby further amended by deleting the provisions in Table 5.19.2.1 for “Residential Uses” and replacing them with the following new provisions for “Residential uses” in Table 5.19.2.1:

| TABLE 5.19.2.1 - PARKING STANDARDS | | |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| Land Use Category | Use | Number of Vehicle Parking Spaces Required |
| Residential Uses | - <i>single detached dwelling</i> - <i>duplex dwelling</i> - <i>semi-detached dwelling</i> - <i>mobile dwelling</i> - <i>street fronting townhouse dwelling</i> | - 2 per <i>dwelling unit</i> |
| | - <i>bed and breakfast</i> - <i>boarding or lodging house</i> | - 1 per <i>guest room</i> |
| | - <i>home occupation</i> | - 1 space |
| | - <i>garden suite</i> | - 1 per <i>garden suite</i> |
| | - <i>additional residential unit</i> | - 1 per <i>additional residential unit</i> |

| TABLE 5.19.2.1 - PARKING STANDARDS | | |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| Land Use Category | Use | Number of Vehicle Parking Spaces Required |
| | <ul style="list-style-type: none">- residential units in a portion of a non-residential <i>building</i>- <i>multiple unit dwelling</i>- <i>apartment dwelling</i>- <i>converted dwelling</i> | - 1.5 per <i>dwelling unit</i> |

12. That Section 16.0 to By-law Number 2003-18, as amended, is hereby further amended by deleting “a *converted dwelling*, in accordance with Section 5.5” and replacing with “an existing *converted dwelling*, containing up to two *dwelling units*, in accordance with Section 5.5;” and deleting all instances of the words “of this Zoning By-Law” throughout Table 16.1: Uses Permitted.
13. This By-Law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this ____ day of ____, 2025.

READ a third time and finally passed this ____ day of ____, 2025.

Phil Schaefer – Mayor

Meaghan Vader – Clerk